

## PEACE OF U. S. IS DEPENDENT UPON GERMANY'S REPLY

Second American Note Speeding Toward Berlin, Fraught with Grave Consequences to Nation Backing Wilson.

## PERMITS NO EXTENDED PARLEY OVER DETAILS

Resignation of Bryan and Trend of Events Indicates That the Note Discourages Lengthy Diplomatic Conversations.

WASHINGTON, June 10.—The second American note to Germany, which caused the resignation of Sec'y Bryan, today was being hurried to Berlin, and upon the reply of the German government will depend largely the peace of the United States.

It is realized that the Wilson note, while friendly in tone, permits no extended parley. The firm demands of this government for freedom of the seas must be met by concessions of the kaiser's government or by an equally firm refusal.

There is believed to be no half way ground. It is planned that the note shall be given to the American public tomorrow morning. Meanwhile, the president and his close advisers discourage speculation as to its language but the Bryan resignation and the startling developments of the past two days furnish a fair index to the character of the American reply.

Discourage Long Parley. That the president and the remainder of his cabinet have definitely discouraged in this note all German thought of arbitration and drawn-out discussion over comparatively non-essential facts, is apparent to the trained observer in Washington. The Bryan resignation, furthermore, has made it plain that the note does not assume that it is incumbent upon this government to warn its citizens to stay off vessels which are due to pass through the so-called "war zones" presided by Germany.

Rather will this government assume, it is expected that the duty of Germany is to guarantee the safe passage of neutrals aboard unarmed vessels and that if Germany deems it necessary in its warfare to seize vessels believed to carry ammunition, or to torpedo such vessels, there shall be ample warning and protection afforded to passengers aboard these vessels.

The underlying principle of the American note, in whatever language it may be couched, is that the seas belong to all nations and that no war, no matter how comprehensive it may be, shall close to legitimate travelers the right to go and come unmolested.

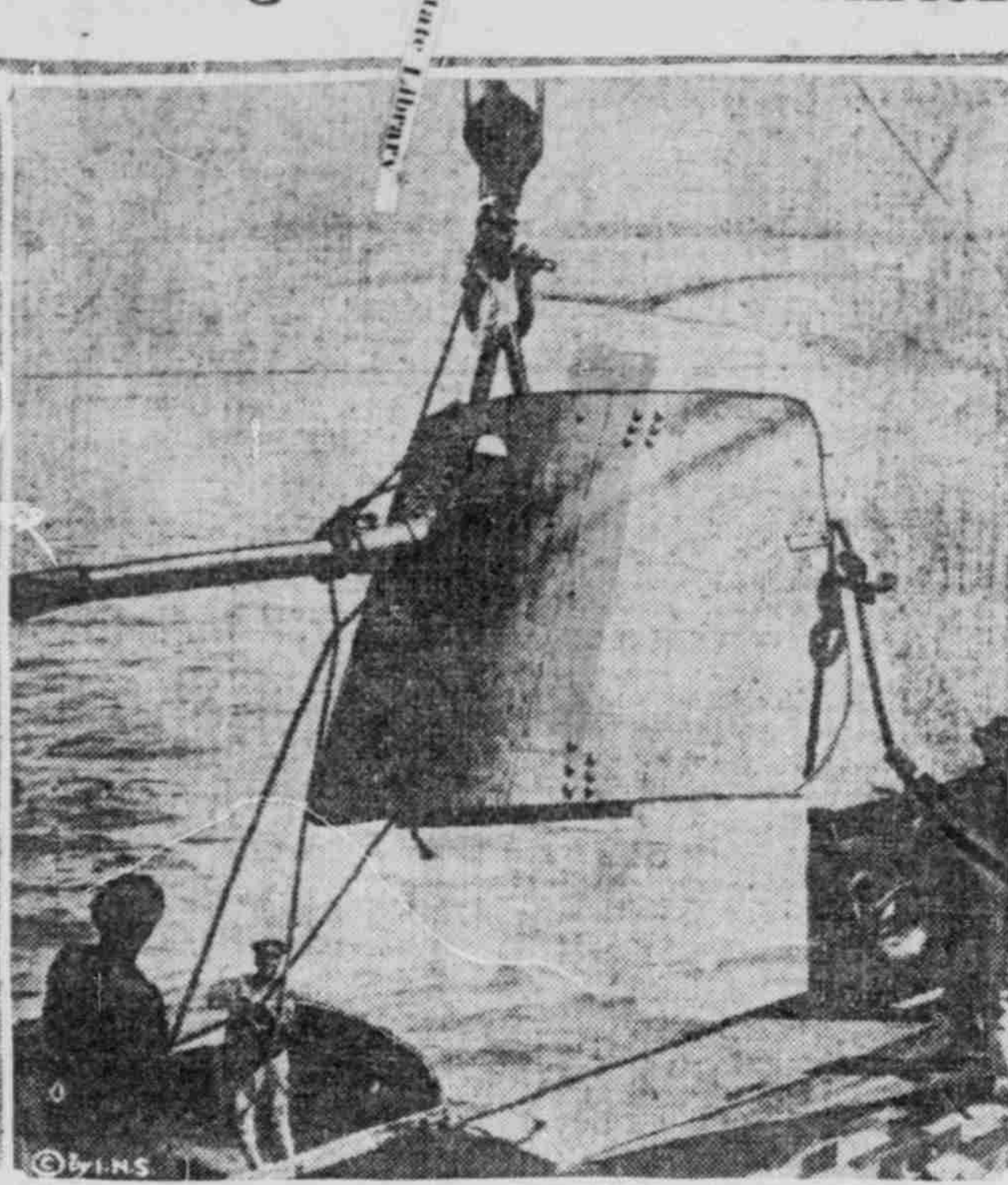
To Send Note to England. In pursuance of this same principle, it is believed that Mr. Bryan Wilson soon is to send a note to Great Britain bearing on its interference with American commerce. This note, it is understood, will urge compliance with the request of the United States as expressed in its protest of March 29 to England and France against the operations of the blockade on commerce in non-contraband countries.

Meanwhile, awaiting Germany's reply, this nation will pass through one of the most critical periods in its history and each moment will add to the tension and anxiety—although the administration has no doubt that the nation will stand behind it no matter what may come.

The political effect of the Bryan resignation still is a subject of general discussion. At first Mr. Bryan begins his peace propaganda and reveals more fully his attitude, and pending developments which will come with the German reply, there can be no accurate forecast of what effect politically the dramatic and unexpected retirement of the secretary of state will have.

Speculate on Effect. That Mr. Bryan's resignation may be more loudly raised against the Wilson policy is not improbable in view of his formal statement that his resignation was made that he might "employ as a private citizen the means which the president does not feel at liberty to employ."

## Landing British Guns in Africa



LANDING BIG GUN IN AFRICA.

A British 12-pounder being put ashore from a navy transport to be mounted on an armored train for use in the invasion of German Southwest Africa.

## ITALIAN VICTORY PUTS ARMY NEAR GATES OF TRENT

Defeat of Austrian Column Opens Way to Attack Fortress Defending Falzarego Pass, East of Cortina.

ROME, June 10.—The Italian army which is maneuvering to attack Trent from the northeast has defeated an Austrian column near Cortina d'Ampezzo and is now nearing the Austrian mountain fortress defending Falzarego pass, east of Cortina. The Austrian position at Prekoppel has been taken and an Austrian gun and some artillery were captured.

The Italians now hold Montafione. Furious fighting is still in progress along the Isone river. The following official statement, relative to the operations of the Italian armies of invasion, was issued by the war office today:

"Our troops near Falzarego pass, in a favorable engagement 10 kilometers distant from Cortina d'Ampezzo, captured a gun and ammunition from the Austrians at Prekoppel. The Austrian position at that point was shattered on Tuesday night and we made 100 prisoners there. Along the Isone front fighting still continues, our batteries shelling the positions which the Austrians still retain around Monte Nero. We have taken an important position there, which the enemy evacuated. The Austrians left 100 dead behind and 60 wounded. Near Caporetto 60 Bosnians deserted the Austrians and camp into our camp.

Austrians Lose Heavily. "The Austrian losses have been heavy. Throughout Monday and Tuesday, we made 100 prisoners there. Operations designed to throw back the Austrians from the dominant positions they held on the right bank of the Isone and to establish strong bridgeheads.

The enemy has been offering obstinate resistance, being favored by conditions of ground which also make it difficult to penetrate the line owing to broken bridges and bad roads resulting from extensive floods along the lower course of the Isone.

"Our troops everywhere have fought with the greatest dash and tenacity, their valor being rewarded by the capture of important positions.

"We have occupied Montafione. The fire of our guns visibly damaged several hostile batteries.

Take Important Heights. "In the mountainous region of Monte Nero (west and northwest of Tolmino, Tolmino) we took an important height after the enemy had been driven off by our fire. At other points along the Isone valley we took more than 400 prisoners."

Refugees from Trent state that the civilian population has been ordered to leave for fear the Italians will bombard the city. Most of the public buildings in Trent have been turned into hospitals and fly the Red Cross flag for protection from the Italian guns.

It is reported that the Austrian authorities are considering the evacuation of the city. Many of the wounded Austrians at Trent are being sent to Innsbruck.

The main Italian army which advanced along the coast of the Gulf of Trieste and occupied Montafione is now only 16 miles from Trieste.

AMERICANS FLEE FROM BERLIN. COPENHAGEN, June 10.—Private advices from Berlin state that many Americans are leaving for Vienna and Switzerland as a result of the strained relations between Germany and the United States.

## MAIL CARRIER ON TRIAL AS SLAYER OF "BEST FRIEND"

Greatest Mystery Kansas Ever Knew Surrounds Killing of Postmaster at Louisburg by Shot Fired Through Window.

PAOLI, Kan., June 10.—Roscoe Hornbecker, a rural mail carrier of Louisburg, Kan., was placed on trial here today in the strangest and most mysterious murder case ever known in Kansas. He is accused of killing his best friend, George B. McElheny, postmaster of Louisburg. The whole first day's session of the court was expected to be occupied with the selection of the jury.

Into the trial, which promises to be sensational, will be injected a tale of illicit love, an apparently perfect alibi and the story of the inside workings of "embroidery clubs" in Louisburg, in the postoffice where the members exchanged views.

Here are the known and alleged facts of the weird murder case:

On the night of Oct. 4, 1912, George B. McElheny, in the presence of his wife and two little sons, was shot and killed by an assassin who fired a shotgun from the dark through the window of the McElheny home.

Mystery For Two Years. For two years the murder remained on the records of the coroner's office an unsolved mystery.

Then to Dr. J. V. Ferrel, former coroner of Miami county, Mrs. Maude McElheny made a confession without a parallel in Kansas criminal history.

Under oath she told of a love affair with Hornbecker which had preceded the killing of her husband. One day in the postoffice, when she and Hornbecker were laughing over a postal card picture of a pretty girl being kissed by a mail carrier, Hornbecker caught her in his arms and kissed her. That was the beginning of the love affair, which she declares was forced upon her by Hornbecker, against her better judgment, and in spite of her attempts to repulse him.

This love affair, according to Mrs. McElheny's sworn statement, was carried on with the knowledge and approval of Mrs. Hornbecker, the mail carrier's wife and that she asserted that on many occasions when she took her to his own home and in the presence of his wife bestowed affectionate attentions upon her.

Gave Her Powdered Glass. One day, according to Mrs. McElheny's story, Hornbecker gave her powdered glass to put in the food she prepared for McElheny. She accepted the killing compound, but did not use it. Hornbecker, she said, promised to kill his own wife as soon as she had rid herself of her husband.

After McElheny was assassinated the widow declares, Hornbecker confessed to her that he had committed the crime, told her where he had secreted the sawed-off shotgun and threatened her with the same kind of death if she ever told any one of their illicit love or of the crime. For two years, she said, she kept the secret, finally being driven to confess by her conscience.

On the other side, Hornbecker, the accused man, has what appears to be a perfect and complete alibi. He contends, and his wife and children support his statement, that he was at home all during the evening of the murder and that he was in bed asleep at the hour when McElheny was slain. He was asleep when his house was called on the telephone, and news of the murder of his best friend was told to his wife.

SHIVELY UNCHANGED. NEW YORK, June 10.—The condition of Sen. Shively was unchanged today.

SHERBURNE, N. Y.—Fred D. Rogers, a local farmer, has trained his hedgehogs to roll in potato trenches until their spines are clustered with spuds, then run into the cellar, shake off their burden and return to the trenches.

## FIVE PERSONS DROWNED

Bodies of Auto Party Are Recovered from River.

OUTLOOK, Sask., June 10.—The bodies of J. P. Thompson, his wife, Mrs. Herbert Coleman of Toronto; Mrs. Thompson's sister, and the two Thompson children, 3 and 9 years old, were recovered today from the Saskatchewan river. The five were drowned last night when Thompson drove his automobile into the river. According to witnesses of the accident, Thompson, driving from Ardath, where he was a general merchant, started to run the automobile onto a ferry before the apron was lowered. The ferryman signalled to him to stop, but apparently he did not understand the signal and the car plunged into 15 feet of water.

## SOUTH BEND WILL HAVE SYSTEMATIC PLANNING BODY

Mayor Keller Returns from Detroit Meeting and Announces Commission Will Be Appointed Within Near Future.

South Bend is to have a city planning commission.

This is the word brought back by Mayor Fred Keller from the seventh national conference on city planning held June 7-9 in Detroit, at which city planners, representatives of city planning organizations and committees and other persons interested were present.

The fact that every city of first or second class in the United States needs such a commission, according to the mayor, was the point upon which speakers at the conference dwelt, and was the lesson learned by every person present. The future of the city, specially in the eastern portion of the Union, depends upon the steps taken now for its development, said the mayor.

The commission will be composed of representative business men of the city, real estate dealers, architects and members of various civic improvement organizations. It will be the duty of this committee to approve all future plats of additions to the city, regulating the width of the streets, their location and the size of the blocks in the additions.

In the larger cities of the east, according to the mayor, where such commissions are comparatively new, property holders are compelled to build homes, buildings and business blocks so that they face upon alleys. It is to avoid this in South Bend that the mayor will appoint the city planning commission.

Naming Streets. A systematic scheme of street naming will also be planned by the commission. Location of streets, avenues and courts will be decided beforehand and all plats of additions will pass through the hands of the commission before they are turned over to the city engineer to become a part of the next map of the city.

The conference at Detroit was attended only by members of civic improvement experts. Mayor Keller was the only mayor present.

The local commission will work in cooperation with the city engineer, the board of public works and the board of park commissioners. Suggestions by the commission will be considered by both the latter boards before any improvement in park or city property is undertaken.

To better place his idea before the citizens of the city and to allow members of the proposed commission to thoroughly understand the system, the mayor has invited Dr. R. H. Whitten of New York to this city. Dr. Whitten has made a thorough investigation of the city and will address meetings both of the commission and of representative bodies of citizens.

The mayor stated that the commission would not be appointed at once. It is probable that the appointments would be delayed until after the appearance in the city of Dr. Whitten and whatever other experts along that line the mayor invites to make addresses here.

## EXPECT DEVELOPMENTS IN POISONING PLOT

First Death Traced Directly to Strychnine in Spencer Investigations.

SPENCER, Ind., June 10.—Important developments in the wholesale "poison package" plot which has been under investigation here for several weeks by the Owen county authorities were expected today following the announcement of the first death definitely traced to the mysterious "free samples" of quinine.

Known to have received the "samples" all of which proved to be adulterated with strychnine, and many sudden deaths in the community have been traced to the probe the case of Mrs. Alice McHenry, who died last November, is the first to be traced directly to strychnine.

Mrs. McHenry died in convulsions shortly after taking a dose of the "quinine" according to a woman neighbor of the McHenry family. A chemist who analyzed a portion of the "quinine" has reported the finding of strychnine.

Former County Coroner Drescher, who is suspected of having committed suicide 10 days ago, investigated Mrs. McHenry's death and pronounced it due to cerebral hemorrhage.

## LINCOLN HIGHWAY PAGEANT PROVES ENTIRE SUCCESS

Biggest Crowd in History of the City Views the Wonderful Parade Showing Evolution of Modern Transportation.

## MOVIE MEN PRONOUNCE IDEA A MOST NOVEL ONE

Carriages of Lincoln, Grant and Lafayette Expected to Be a Leading Feature of Entire 12,000 Feet of Film.

South Bend Thursday drew within her domain one of the biggest crowds in her history. The occasion was the celebration of Lincoln highway day, the feature of which was the grand parade, showing the evolution of transportation.

Aided by the Barnum and Bailey circus which happened to come to the city on the same day, a host of humanity was drawn to the city, the practically jammed all traffic down town for nearly an hour.

The celebration was pronounced a success from beginning to end by the local people. The parade itself lived up to the fullest expectations and proved to be the most original and novel idea ever evolved in the city. I. C. Stebbins, the movie man of the Lincoln highway association, stated that the "stunt" put on by the local Lincoln highway men was the most novel thing he had ever witnessed and assured that undoubtedly it would be a feature of the entire 12,000 feet of Lincoln highway film.

The circus parade which preceded the Lincoln highway pageant left the city grounds shortly after 10 o'clock. It proceeded east on Sample st. to South st. Here the parade dropped in about one block behind the circus parade.

Streets Black With People. Nelson Jones, on a black horse, acting as marshal of the day, gave the signal and the parade began to move up Michigan st. The street was black with people, thousands lining both sides crowding into front yards and front porches. The business district was equally as crowded, not a window or door in a business what was jammed with eager onlookers.

Following Marshal Jones came three autos decorated in red, white and blue, and carrying the local committee, members of the national Lincoln highway committee and good roads boosters from Michigan. These autos were followed by a mounted band directed by the circus. Then came the first of the Lincoln highway parade.

The ancient drag used in the remote times of Adam. It consisted merely of a three-pronged branch cut from a tree and shaped in the form of a sledge. It was pulled by a burly negro.

Then followed 30 other vehicles that showed the gradual evolution of transportation conveyances until the modern Lincoln highway automobile. As each vehicle passed a storm of applause greeted it.

The procession moved slowly up Michigan st. to Clifft at Here it turned west to Main, south to Washington and west. At Washington and Lafayette the camera man of the Lincoln highway committee was of the opinion that the parade of the Lincoln highway film allotted to South Bend 175 was necessary to take the pageant.

Cheers Greet Old Carriages. Big cheers greeted the appearance of the three vehicles furnished by the Studebaker corporation, the Lincoln, Lafayette and Grant carriages. Each carriage was occupied by men to represent Lincoln, Grant and Lafayette. The Lincoln carriage, stated that these three old vehicles in themselves will be one of the most unique features of all the Lincoln highway film.

Following these came the Lincoln, Studebaker, car, driving age J. M. Studebaker, Sr., driving one of his first carriages. Mr. Studebaker was tremendously applauded along the entire route of the parade.

Vehicles in Pageant. The vehicles appeared in the pageant in the following order: Three autos decorated in Lincoln highway colors carrying officers of the Lincoln highway association, furnished by W. L. Kizer; mounted band, furnished by Barnum and Bailey circus; "South Bend World Famed" world on wheels, by South Bend Chamber of Commerce; Lincoln, Studebaker and Grant carriages; ancient sledge, furnished by Ward back line; Scythian house on wheels drawn by oxen, furnished by Wyman & Co.; Indian travails, furnished by Columbia Mattress Co.; King Solomon in state carriage, furnished by Oliver hotel; Queen Isabella and attendants entering Paris, furnished by Chicago, South Bend & Northern Indiana R. R.; Roman chariots, furnished by Barnum and Bailey circus; The Benna, furnished by Northern Indiana Gas & Electric Co.; the palanquin, furnished by South Bend high school; buffalo farm cart drawn by oxen, furnished by Mussel Bros.; furnished by Barnum and Bailey circus; South Bend Motor Car Co.; donkeys and riders, furnished by Electrical Supply Co.; motorcycle, furnished by Max Elmer; North Western Life Insurance Co.; Gajuh village cart, furnished by Conservative Life Insurance Co.; jirrikisha, furnished by the Fire Underwriters' association; primitive Victoria carriage followed by primitive goat cart furnished by John A. Grief; Hungarian gentleman's cart, furnished by Mike Nyer.

Continued on page 13.

## Latest Bulletins From War Zone

HARWICH, Eng., June 10.—The steamship Enna Boldt has been sunk in the North sea by a German submarine. Her crew was landed at Harwich today. The Enna Boldt is listed in Lloyd's marine register as a vessel of German nationality. She is a ship of 1,731 tons. It is likely that this was one of the German merchant ships seized by the British at the outbreak of the war and is now being held by them, under her old name.

BERLIN, June 10.—Fighting has again become very severe in the arena of operations around Arras. The official statement of the German war office today states that French attacks near Souchez and Neuville St. Vaast were repulsed but that hostilities are continuing there without any decisive result.

BERLIN, June 10.—It was officially announced by the war office this afternoon that the Austro-German army under Gen. von Linseigh has crossed the Dniester in Galicia and cut communication between the Russian armies in Galicia and Bukovina.

GIBRALTAR, June 10.—A Havas News Agency dispatch from Algeiras says that Capt. Thierichens of the German converted cruiser Prinz Eitel Friedrich has been arrested while disguised as a cook on board an Italian steamship. The Prinz Eitel Friedrich is now interned at Norfolk, Va.

NORFOLK, Va., June 10.—Capt. Thierichens of the German navy, is away on two weeks' leave of absence and naval officials declare they do not know his whereabouts.

BERLIN, June 10.—The German admiralty issued a statement today denying the official report issued in Petrograd on Monday by the Russian ministry of marine in which it was claimed that three German ships had been sunk in the Baltic. It was admitted, however, that the Germans lost a collier.

PARIS, June 10.—Following the French occupation of Neuville St. Vaast, north of Arras, the German war office issued a statement today denying the report of an official communiqué issued by the French war office today.

## GOVERNOR SETS FRANK HEARING FOR SATURDAY

Last Chance for Clemency in Case of Young Factory Superintendent Charged as Slayer.

ATLANTA, Ga., June 10.—Gov. Slaton set the hearing of the Frank petition for 9 o'clock next Saturday morning.

The appeal to the governor, it is understood, substantially will be the same as that made to a previous commission, stressing the question of reasonable doubt as to the guilt of the young factory superintendent. The dissenting opinion of Judge T. E. Patterson, of the prison commission, who recommended that the death sentence be commuted to life imprisonment, will be urged on the governor as another striking illustration of doubt in the case. The dissenting opinion of Georgia supreme court justices and justices of the United States supreme court in decisions against Frank, also will be laid before the governors.

Reverts have been circulated that Solicitor Dorsey will present new evidence to the governor, which will be damaging to Frank but the solicitor refuses to arm or deny these reports.

## CHICAGO CAR TIE UP DUE ON SATURDAY

Union President Declares That 11,000 Railway Employees Will Go on Strike.

CHICAGO, June 10.—Every surface street car and every elevated train in the city of Chicago will be standing still at 4 o'clock Saturday morning and 11,000 street car conductors and motormen and 2,500 elevated guards and motormen will be on strike, according to an official announcement today by Pres't William Quinlan of the surface car men's union and John J. Bruce, head of the elevated railway employees' organization.

Just when it was hoped that an agreement to arbitrate the wage differences between the two transit companies and their men would be reached, the union officials in a meeting decided to decline the invitation of Pres't L. A. Busby of Chicago surface lines to meet in his office and take arbitration.

Pres't Quinlan's announcement was not qualified in any way. It stated that the men had been given orders to complete their Friday runs and not to return to their cars Saturday morning. This arrangement will keep the Friday night shift at work until 4 o'clock Saturday morning, at which time the last car will be run into the barns and then, according to the union officials' plan.

Pres't Quinlan said the union leaders decided at the last moment that nothing could be gained by a conference with Pres't Busby and that the public should be given sufficient advance notice of the strike to be prepared to be without car or elevated service on Saturday morning.

A complete tie-up of Chicago's transportation lines would deprive 2,500,000 persons of their usual means of traveling about the city.

NEW YORK.—Complaining that he insisted she accompany him to tango parlors and cabarets, despite her protests, Mrs. Katherine Kless has fled into separation from her husband.

## GERMAN INSISTS W. P. FRYE CASE GO INTO PRIZE COURT

Second Reply to American Demands Denies Emphatically That Sinking of Ship Was Violation of Treaty.

## OFFERS TO PAY FULL INDEMNITY, HOWEVER

Kaiser's Government Insists That Questions of Right Shall Be Judged by Special Court of Inquiry.

WASHINGTON, June 10.—Germany in its second reply to American demands in connection with the sinking of the American sailing ship, William P. Frye, received at the state department today, denies that the destruction of the Frye constitutes a violation of the treaties between the United States and Germany and insists that it go to a prize court. The United States proposed that the matter should be settled by diplomatic negotiations and not a prize court. The German foreign office, however, promises to pay proper indemnity. The text of the German reply follows:

"The German government cannot admit that, as the American government assumes, the destruction of the sailing vessel mentioned constitutes a violation of the treaties concluded between Prussia and the United States at an earlier date and now applicable to the relations between the German empire and the United States of the American republics of July 11, 1878, expressly reserves to the party at war the right to stop the carrying of contraband and to detain the contraband, the latter then that if it cannot be achieved in any other way, the stopping of the supply may in the extreme case be effected by the destruction of the contraband and of the ship carrying it. In such a case, of course, the obligation of the party at war to pay compensation to the parties interested of the neutral contracting party remains in force whatever be the manner of the destruction of the ship. It may be restricted by special treaties.

Frye Case Is Subject. "At the beginning of the present war Germany, in pursuance to these principles, established a prize jurisdiction for cases of the kind under consideration. The case of the William P. Frye is likewise subject to the German prize jurisdiction mentioned. It contained no stipulation as to how the amount of compensation provided by article 12 of the treaty cited is to be fixed.

The German government therefore complies with its treaty obligations to a full extent when the prize courts instituted by it in accordance with international law, stipulations and this award the Americans interested an equitable indemnity.

"There would, therefore, be no foundation for the claim of the American unless the prize court should not grant indemnity in accordance with the treaty; in such event, however, the German government would not hesitate to arrange for equitable indemnity notwithstanding.

Court Proceedings Necessary. "For the rest, prize proceedings of this case, the Frye are indispensable apart from the American claims, for the reason that other claims of the neutral and enemy interested parties are to be considered in the matter.

"As a matter of fact, in the course of the prize court proceedings, the destruction of a ship and cargo was legal, whether and under what conditions the property sank in a prize court, confiscation and to whom and in what amount indemnity is to be paid after thus received. Since the decision of the prize court must be awaited before any further position is taken by the German government, the simplest way for the American interested parties to settle the claims would be to enter them in the court records in accordance with the provisions of the German code of prize proceedings."

The note was dispatched by Ambassador Gens'ler to the German foreign office on June 7. The American note to which this is an answer, was dated April 30.

## WYMAN'S AND FRANK ENTERTAIN 35 BOYS

Thirty-five boys, representatives of the George Wyman company in this and surrounding towns, were entertained Thursday noon at luncheon at the Oliver hotel by Abe Frank, proprietor. After the luncheon the boys were guests of the Wyman store at the Barnum and Bailey circus in the afternoon.

## FIRE IN COTTON CARGO

NEW YORK, June 10.—Fire broke out at noon today in the hold of the American steamship Brynhydd, which was laden with 2,000 bales of cotton consigned to Russia. At 2 o'clock the fire was still burning.